

REMARKS/ARGUMENTS

The claims are 1-5 and 8-13, with claims 14 and 15 having been withdrawn from consideration by the Examiner as directed to a non-elected invention. Claim 1 has been amended to better define the invention, and claims 2-3 have been amended in view of the amendment to claim 1. Support for the claims may be found, *inter alia*, in the disclosure at page 4, last paragraph. Reconsideration is expressly requested.

Claims 1-5 and 8-13 were rejected under 35 U.S.C. 112, first paragraph, as based on a disclosure which was said to be non-enabling. In response, Applicants have amended claim 1 to recite that the styrene block copolymer is not plasticized with oils or resins as suggested by the Examiner, which it is respectfully submitted overcomes the Examiner's rejection on the basis of 35 U.S.C. 112, first paragraph.

Claims 1-5, 8 and 10 were rejected under 35 U.S.C. 102(b) or, in the alternative, under 35 U.S.C. 103(a) as obvious over *Gotoh et al. U.S. Patent No. 5,427,850*. The remaining claims 9 and 11-13 under consideration were rejected under 35 U.S.C. 103(a) as being unpatentable over *Gotoh et al.* Essentially, the Examiner's position was that *Gotoh et al.* discloses the self-adhesive surface

protection film recited in the claims except for features which were considered within the skill of the art.

This rejection is respectfully traversed.

As set forth in claim 1 as amended, Applicants' invention provides a self-adhesive surface protection film including a layered laminate produced by coextrusion. The laminate includes a carrier layer and an adhesive layer. The adhesive layer consists of a styrene block copolymer and at least one polyolefin, which may be a polyethylene or a polypropylene, and the styrene block copolymer is not plasticized with oils or resins. In this way, Applicants' invention provides a self-adhesive surface protection film that can be produced in a simple manner by means of coextrusion and is suitable for temporary protection of painted sheet metal as well as high-gloss sheet metal made of aluminum or stainless steel.

Gotoh et al. relates to a pressure sensitive adhesive composition especially for use as a protective film wherein the base material of the surface protective film and an adhesive layer are produced by coextrusion. According to claim 1, the description and the examples of *Gotoh et al.*, the pressure

sensitive adhesive layer consists of a block copolymer, a tackifying resin and at least one polyolefin. The tackifying resin acts on the block copolymer (column 4, lines 3-9) as a plasticizer and the term "tackifying resin" is equivalent to "oils or resins for plasticizing". In contrast to *Gotoh et al.*, Applicants' invention as recited in claim 1, as amended, includes an adhesive layer consisting of a styrene block copolymer and at least one polyolefin wherein the styrene block copolymer is not plasticized with oils or resins. Contrary to the teachings of *Gotoh et al.*, such an adhesive layer can be processed by means of coextrusion and exhibit a sufficient tack.

Accordingly, it is respectfully submitted that claim 1, as amended, together with claims 2-5 and 8-13 which depend directly or indirectly thereon, are patentable over *Gotoh et al.*

The remaining references cited by the Examiner have been considered but are believed to be no more relevant. *Schurb* relates to an extensible flatback adhesive sheet wherein the sheet comprises a non-creped flatback paper backing comprising cellulosic fibers. Due to this arrangement, the extensible flatback adhesive sheets cannot be produced by coextrusion as recited in Applicants' claim 1 as amended. In addition, *Schurb* fails to disclose or suggest an adhesive layer consisting of a

mixture of a styrene block copolymer and at least one polyolefin, wherein the styrene block copolymer is not plasticized with oils or resins and thus is no more pertinent than *Gotoh et al.*

Koga et al. claims the same priority (JP 5-336419) as the reference EP 0 661 364 previously cited by the Examiner. *Koga et al.* relates to surface protected films wherein the adhesive layer is chiefly composed of an α -olefin copolymer that is based on at least two α -olefins selected from among α -olefins having 3-12 carbon atoms. See claims 1, 2 and 16 of *Koga et al.* The adhesive properties of the adhesive layer are governed by this complicatedly structural and rather expensive copolymer. In any event, *Koga et al.* fails to disclose or suggest an adhesive layer which consists of a mixture of a styrene block copolymer and at least one polyolefin as recited in Applicants' claim 1 as amended, wherein the styrene block copolymer is not plasticized with oils or resins.

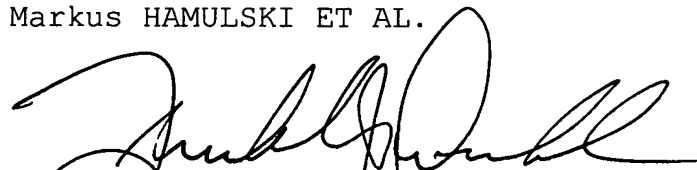
Thus, none of the prior art cited by the Examiner whether alone or in combination discloses or suggests Applicants' invention as recited in claim 1 as amended.

Applicants would also like to point out that the "PG Pub to the inventors, *Hamulski et al.*" (*U.S. Patent Application*

Publication No. 2004/0137223) is the published patent application for the present application herein under examination and is not prior art.

In summary, claims 1-3 have been amended. In view of the foregoing, it is respectfully requested that the claims be allowed and that this application be passed to issue.

Respectfully submitted,
Markus HAMULSKI ET AL.

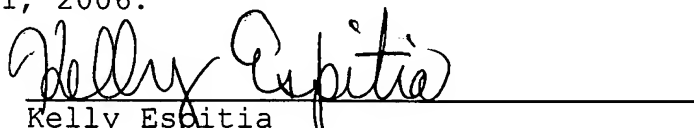


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